

MYSORE ACT No. LVII OF 1943.

*(Promulgated by His Highness the Maharaja on the
28th day of December 1943.)*

An Act to provide for the application of the State Laws to the lands occupied by the Bangalore City Railway Station and the Bangalore-Hindupur line of the Mysore State Railways and for transitional arrangements in respect of proceedings and other matters pending in Courts on the date of the retrocession of jurisdiction over the said lands to His Highness the Maharaja.

Preamble.

WHEREAS His Excellency the Crown Representative has decided to retrocede to His Highness the Maharaja, with effect from the 1st January 1944, jurisdiction of every kind over the Railway lands occupied by the Bangalore City Railway Station, that portion of the Bangalore-Hindupur section of the Mysore State Railways, which lies between Bangalore City Railway Station and the frontier of the Mysore State, and the Madras and Southern Mahratta Railway lands lying between the boundary of the Civil and Military Station on Miller's Road and the Bangalore City Railway Station ; and it is necessary to provide for the application of State Laws to the lands occupied by the aforesaid lines and to make provision for the transitional arrangements in respect of proceedings and other matters which have arisen within the said lands and which are pending on the date of retrocession in the Courts of the Civil and Military Station of Bangalore :

His Highness the Maharaja has been pleased to enact as follows :—

Title.

1. This Act may be called an Act to provide for the application of State Laws to the lands occupied by the Bangalore City Railway Station and the Bangalore-Hindupur Section of the Mysore State Railways and for transitional arrangements in respect of proceedings and other matters pending in Courts on the date of retrocession.

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Station and the Bangalore-Hindupur line)

2. (1) It shall come into force on the 1st January 1944. Commencement and extent.
(2) It applies to all lands (including those occupied as stations, out-buildings and for other railway purposes) occupied by—
(a) the Bangalore City Railway Station as described in the Schedule to this Act;
(b) that portion of the Bangalore-Hindupur section of the Mysore State Railways which lies between Bangalore City Railway Station and the frontier of the Mysore State; and
(c) the Madras and Southern-Mahratta Railway lands lying between the boundary of the Civil and Military Station on Miller's Road and the Bangalore City Railway Station.
3. All laws for the time being in force in the Mysore State shall be deemed to be in force in the aforesaid lands. Application of State Laws.
4. All civil suits and proceedings of whatever nature initiated and pending before the Courts in the Civil and Military Station, Bangalore, on the date of retrocession, shall be deemed to be suits and proceedings taken cognizance of by and pending in Courts of Mysore, and may be continued in Mysore Courts of competent jurisdiction, as may be notified by the Government, from the stages at which such suits and proceedings were pending. Pending civil matters.
5. All criminal cases and proceedings taken cognizance of by and pending before the Criminal Courts in the Civil and Military Station, Bangalore, on the date of retrocession, shall be deemed to be cases and proceedings taken cognizance of by and pending in Courts of Mysore, and may be continued in Mysore Courts of competent jurisdiction, as may be notified by the Government, from the stages at which such cases and proceedings were pending : Pending Criminal matters.
- Provided, however, that nothing in this section shall affect the provision of Section 350 of the Code of Criminal Procedure.
6. All appeals, applications for revision, and other proceedings, civil as well as criminal, pending in the Pending appeals, etc.

appellate Courts or the Resident's Court of the Civil and Military Station, Bangalore, on the date of retrocession shall be deemed to be appeals, applications or proceedings pending in the corresponding appellate Courts or the High Court in Mysore, as the case may be, and may be continued in such appellate Courts of competent jurisdiction, as may be notified by the Government, or by the High Court, from the stages at which such cases, applications or proceedings were pending :

Provided, however, that nothing in this section shall affect the appeals from the Resident's Court pending before His Majesty in Council.

Appeals, etc., to
lie to Mysore
Courts after
retrocession.

7. All appeals, references, applications for revision or review, applications for execution and all miscellaneous applications connected with judgments, decrees, orders or cases, civil or criminal, of courts having jurisdiction prior to retrocession and in respect of which no appeals, references or applications have been filed or made will lie to Courts of competent jurisdiction in Mysore to which such appeals, references or applications would lie if the said judgments, decrees, orders or cases were of corresponding Courts in Mysore, subject to the law of limitation as was in force in the Civil and Military Station, Bangalore, prior to retrocession, being applicable to such appeals, references or applications.

Law applicable
to pending
matters.

8. All civil suits and proceedings and criminal cases and proceedings commenced and pending in the Courts of the Civil and Military Station, Bangalore, on the date of retrocession, and all appeals, references and applications connected with suits, cases and proceedings in the said Courts prior to retrocession shall be decided by the Mysore Courts applying the law which was in force in the Civil and Military Station, Bangalore, at the time the suits, cases or proceedings were initiated, as far as altered circumstances will permit.

Power to
appoint a
First Class
Magistrate.

9. Notwithstanding anything contained in the Criminal Procedure Code, 1904, the Government may appoint a Magistrate of the First Class with jurisdiction over the whole or any part of the lands to which this Act applies,

and determine to which District Magistrate he shall be subordinate and the Sessions Division in which the lands may be included.

10. For purposes of section 177 of the Code of Criminal Procedure, 1904, offences committed prior to the date of retrocession shall be deemed to be offences committed within the local limits of Mysore Courts of competent jurisdiction.

SCHEDULE.

Boundary of the Bangalore City Railway Station.

From the level crossing gate on the Mysore Road, the boundary runs North along the ditch on the East of Hanumanthapur and Bargi-Muddenhalli villages, thence continuing East to under-bridge No. 423 at mile 210/6, thence North till it reaches the under-bridge No. 422 near mile 209/22-23, thence turns East along the ditch till it reaches the Madras Railway line at mile 220/8 thence turns South-West alongside the Western boundary of Bargi-Muddenhalli village till it reaches the road under-bridge at mile 220/22-23, thence runs along the boundary of the Municipal Road on the Dharmambudhi Tank bund, till it reaches the junction of the Arlepet and Tank Road, thence turns West and South alongside the compound wall of the Kemmangundi Road till it reaches the New Mill Road, thence turns West along the new Mill Road till it reaches the Magadi Road and thence turns North along the Magadi Road, till it reaches the Mysore level-crossing gate.

Roman Catholic
Church and
Compound
excluded.

Rao Bahadur
Thotadappa's
Chattaram and
compound
excluded.